

Measure 110

Class E Violations Through 06/30/2023

Key Points

- Filed in 35 circuit courts
- 5391 cases with Class E violations
- 92 cases for offenses before 2/1/21
- 5299 cases for offenses on or after the 2/1/21 effective date
 - 3970 with convictions (75%). Of those, 3381 failed to appear.
 - 440 with all Class E violation charges dismissed (8%). Of those, 43 had a substance use assessment verification filed.
 - 889 pending (17%)
 - 32 juvenile cases
- 577 people have multiple cases with Class E violations.
- Most Class E violations are for possession of Methamphetamine (59%) or Schedule II (17%).
- 273 (5%) were issued to non-Oregon residents from 25 states.

Questions?

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Oregon Judicial Department



Measure 110

2021 Senate Bill 755-C codified and amended Ballot Measure 110, which decriminalized most unlawful possession of a controlled substance (PCS) offenses.

Reduction of Penalties

Measure 110 reduced the penalties for most PCS offenses from a felony or misdemeanor to a new Class E violation, punishable with a \$100 maximum fine. Effective February 1, 2021, most PCS offenses are punishable only by a fine – no jail, supervision, or other criminal penalties can be imposed.

History

Measure 110 was approved by Oregon voters in the November 2020 election and reduced penalties for most PCS offenses as of February 1, 2021. The legislature passed SB 755-C, which took effect on July 19, 2021. Major court-related changes in SB 755-C include:

- Allowing a person charged with a Class E violation to obtain a treatment needs screening or treatment contact within 45 days of the citation, provide proof to the court, and have their charge dismissed.
- Requiring law enforcement to provide information on how to obtain a screening when issuing a citation for a Class E violation.
- Establishing a \$45 minimum fine.
- Requiring all Class E violations to be filed in circuit courts.
- Prohibiting penalties for failing to appear in court for a Class E violation.

Circuit Court Cases with Class E Violations by County For Offenses Between 2/1/21 and 06/30/2023

| County | Cases | County | Cases | County | Cases |
|-----------|-------|------------|-------|------------|-------|
| Baker | 23 | Harney | 1 | Morrow | 6 |
| Benton | 266 | Hood River | 63 | Multnomah | 817 |
| Clackamas | 103 | Jackson | 618 | Polk | 78 |
| Clatsop | 78 | Jefferson | 19 | Sherman | 6 |
| Columbia | 16 | Josephine | 1002 | Tillamook | 3 |
| Coos | 130 | Klamath | 163 | Umatilla | 140 |
| Crook | 39 | Lake | 11 | Union | 39 |
| Curry | 16 | Lane | 208 | Wallowa | 1 |
| Deschutes | 216 | Lincoln | 103 | Wasco | 31 |
| Douglas | 435 | Linn | 173 | Washington | 73 |
| Gilliam | 2 | Malheur | 30 | Wheeler | 0 |
| Grant | 2 | Marion | 125 | Yamhill | 263 |

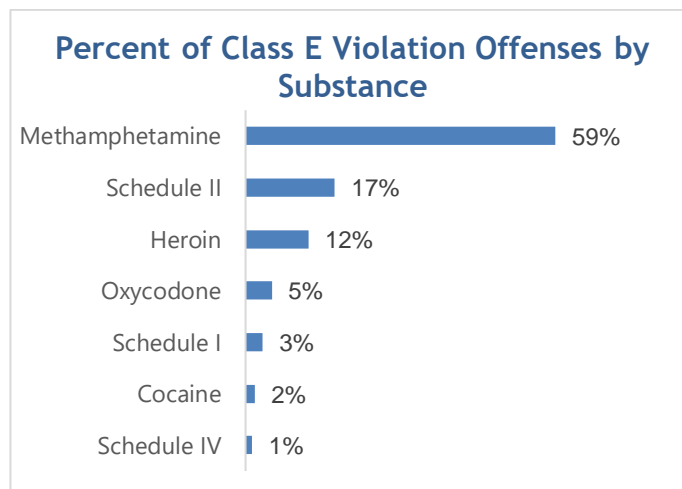
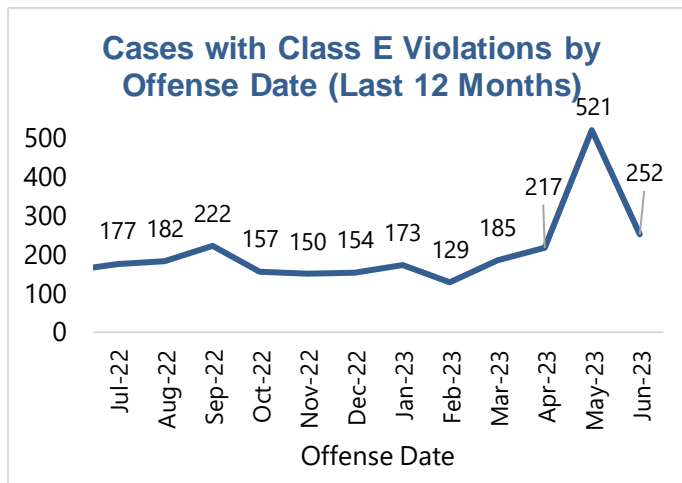


Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 06/30/2023

Data on demographic characteristics of people cited for Class E violations, the substance involved, and charges in addition to the Class E violation come from the law enforcement citation or district attorney charging document and are transferred into the official court record.

This information is provided by court case, from cases filed in circuit courts. A single court case can involve one or more Class E violations, or Class E violations and other charges. If a person receives two separate citations for a Class E violation, they are counted as separate cases.



Demographic Statistics for Cases with Class E Violations

Gender

| | | |
|-----------------------|------|-------|
| Male | 3957 | 74.7% |
| Female | 1278 | 24.1% |
| Not Available/Missing | 63 | 1.2% |

Race

| | | |
|---|------|-------|
| Asian | 35 | 0.7% |
| Black | 220 | 4.2% |
| Indian | 52 | 1% |
| Multiracial | 5 | 0.1% |
| Native Hawaiian or Other Pacific Islander | 15 | 0.3% |
| Other | 124 | 2.3% |
| Unavailable | 358 | 6.8% |
| White | 4093 | 77.2% |
| Missing | 397 | 7.5% |

Ethnicity

| | | |
|----------|-----|------|
| Hispanic | 198 | 3.7% |
|----------|-----|------|

Age at Time of Offense

| | | |
|----------|------|-------|
| Juvenile | 32 | 0.6% |
| 18-20 | 120 | 2.3% |
| 21-29 | 1330 | 25.1% |
| 30-39 | 2149 | 40.6% |
| 40-49 | 1029 | 19.4% |
| 50-59 | 462 | 8.7% |
| 60 + | 150 | 2.8% |
| Missing | 27 | 0.5% |

13% of cases with a Class E violation have other charges in the same case, most of which are other violations.

2% of cases with a Class E violation have a felony or misdemeanor charge on the same case.

Most Frequent More Serious Offenses in Cases with Class E Violations

Criminal Felony

Mfg/Delivery Controlled Substance in Schedule II

Criminal Misdemeanor

Driving Under the Influence of Intoxicants

Violation

Violation Driving While Suspended or Revoked

Driving Uninsured